

**COMMONWEALTH OF MASSACHUSETTS
BOARD OF UNDERWATER ARCHAEOLOGICAL RESOURCES
MINUTES OF PUBLIC MEETING – 31 JANUARY 2002**

MEMBERS PRESENT: Ed Bell (Designee of Cara Metz, Executive Director of the Massachusetts Historical Commission)
Terry French (Designee of John Warner, State Archivist)
Lenny Loparto (Designee of Brona Simon, State Archaeologist)
Kevin Mooney (Designee of Nancy Thornton, Director of DEM Division of Waterways)
Elizabeth Dolan (Designee of Richard Murray, Director of Environmental Law Enforcement)
Joseph Pelczarski (Designee of Thomas Skinner, Director of Coastal Zone Management)
Victor Mastone, Director (Staff for the Board)
David Trubey, Deputy Director (Staff for the Board)

MEMBERS ABSENT: VACANT (Dive Community Representative)
VACANT (Dive Community Representative)
VACANT (Marine Archaeologist)

PROCEEDINGS:

The public meeting of the Massachusetts Board of Underwater Archaeological Resources was convened by the Director, Victor Mastone, at 1:35 PM on 31 January 2002 in the CZM Conference Room at 251 Causeway Street, Boston.

1. MINUTES

A. Minutes of 29 November 2001

Victor noted that there was a correction to the second paragraph under the heading **E. Underwater Discoveries Unlimited** in which lines six and seven, which read "Mr. Snow stated that he completed the required paperwork" was replaced with "Mr. Snow requested the required paperwork,".

Victor asked the Board if there were any additional comments or corrections to the minutes of the public meeting held on 29 November 2001. There were no other comments or corrections to the minutes.

Joe Pelczarski moved to accept as corrected the minutes of the 29 November 2001 public meeting. Kevin Mooney seconded. Five votes in favor, one abstention (Ed Bell). So voted.

2. DIRECTOR'S REPORT

Victor reported that the UNESCO Convention on Underwater Cultural Heritage was adopted this fall. While the United States is not expected to formally sign the Convention, it will most likely act in a manner consistent with the provisions of the Convention as it currently does with the Convention on the Law of the Sea. The ICOMOS Charter on the Management and Protection of Underwater Cultural Heritage was adopted as Annex A of the Convention.

Victor noted that the Environmental Bond Bill (a portion of H.4213) remains with the House Committee on Long Term Debt and Capital Expenditures. It is hoped that under the new committee chair, Rep. Marie J. Parente of Milford (10th Worcester District), the bill may finally move out of committee. The bill filed by the Governor contains a \$2,000,000 line item (account) for the Board. NOTE: The bill was released by the Committee as House Bill H.4908 and the Board's line item reduced to \$1,680,000.

Victor introduced Brendan Foley, a doctoral candidate at the Massachusetts Institute of Technology, and the nominee to fill the vacancy of Marine Archaeologist on the Board. He noted that Brendan holds Masters Degrees from both Tufts University and the University of South Hampton in Maritime History and Archaeology. He noted that Brendan is a former student of Dr. David Switzer.

3. BOARD MEMBER REPORTS

There were no Board member reports.

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4. SUBCOMMITTEE REPORTS: OUTREACH

Victor reported that he gave a presentation at the Annual Meeting of MENSA on 1 December 2001. He noted that it was well attended. Due to demand, he was asked to give the presentation to the Boston Chapter on May 31.

Victor and David Trubey participated in the Society for Historical Archeology (SHA) Conference in January. Victor co-chaired the annual International Forum for Government Managers of Maritime Resources. Additionally, Victor participated in the meeting of the SHA's UNESCO Committee of which he is a member.

Victor reported that next year's SHA Conference will be held in Providence, Rhode Island and it is his hope that the Board will be able to pay for its members registration. Victor noted that he is a co-chair of the underwater program with Dr. Susan Langley, Maryland State Underwater Archaeologist.

5. OLD BUSINESS

A. Bassings Cove Maritime Association

Victor reported that due to an administrative oversight, Bassings Cove Maritime Association (BCMA) did not receive its permit renewal application forms in time to respond to the 30-day deadline. As a result, it would be necessary to extend BCMA's permit until the Board's next meeting on 28 March 2002.

Ed Bell moved to extend the Excavation Permit (91-001) held by Bassings Cove Maritime Association for its Scituate site with all standard conditions in effect until the Board's public meeting on 28 March 2002. Kevin Mooney seconded. Unanimous vote in favor. So voted.

B. Neil Good

Victor reminded the Board that at the meeting of 29 November 2001, there were some questions regarding Neil Good's project. As Mr. Good was unable to attend, he was asked to present the Board with an update on his project at the next scheduled meeting. Mr. Good was in attendance and prepared to address the Board.

Mr. Good announced that during the past year he was appointed to the Falmouth Historical Society. He noted that the Commission is very supportive of the proposed survey of Waquoit Bay and that it may be able to provide limited funding. He reported that he has received an estimate from American Underwater Search and Survey to conduct the survey and that the National Geographic Society may be interested in getting involved. He passed around a copy of a report prepared for the Town of Falmouth in 1995 by the University of Massachusetts Archaeological Services, which details known archaeological sites in the town. He noted that the report concludes that of all the areas in Falmouth, Waquoit Bay has the highest probability of yielding prehistoric sites. Regarding the Board's requirement that he secure the services of a qualified prehistoric archaeologist, Mr. Good stated that he has contacted Christopher Donta who seemed interested in the project and is very familiar with the area. Mr. Good noted that he has also been in touch with Mr. Louis Cook, who has offered to assist with the survey work in providing an ROV and proton magnetometer. Mr. Good added that he expects to begin fieldwork in the spring.

Lenny Loparto stated that the Falmouth report prepared by University of Massachusetts Archaeological Services was funded by the Massachusetts Historical Commission and that the resources discussed are primarily terrestrial. Mr. Good responded that he is aware of that fact, but presented the report to emphasize the area's overall potential. Mr. Good added that he has attempted to contact Thomas Mahlstedt, the staff archaeologist for the Department of Environmental Management, but has not yet heard back from him.

Ed Bell asked Mr. Good how much involvement he has had with the Mashpee Tribal Council, Inc. and the Wampanoag Tribe of Gay Head (Aquinnah) regarding the project. Mr. Good responded that he has had discussions with Glenn Marshal and Earl Mills and that the Historic Commission plans to send out a letter to the Mashpee Historic Commission and the Mashpee Tribal Council asking them to endorse the survey of Waquoit Bay and to solicit their endorsement.

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Victor stated that he is encouraged that the Falmouth Historic Commission is supportive of the project and that there is a possibility of some funding. He added that it would be nice if the project did not have to rely solely on pro bono work. He added that the completion of the survey would be beneficial to the Waquoit Bay National Estuarine Research

Reserve (WBNERR) in that it will provide an idea of what types of resources are in the bay. Mr. Good responded that WBNERR would also benefit from data on the topography of the Bay's bottom that a remote sensing survey would provide. He added that he has had some unofficial indications from WBNERR that it may be willing to provide some funding in order to obtain such data.

Lenny Loparto reminded Mr. Good that in the past, human remains have been found along the shore of the Bay and that if such remains are encountered during the course of his survey, they should not be disturbed and the proper authorities should be notified. Mr. Good acknowledged this concern and stated that he would follow the proper procedures.

C. Nipmuc Nation

Victor reported that he and David Trubey assisted in a site inspection of all three dugout canoes undertaken on 30 November 2001. The Massachusetts Environmental Police provided its dive boat and the services of Environmental Police Officers John Tranghese and Andrew Beaulieu. The Project Archaeologist, David Robinson of the Public Archaeology Lab was assisted by Mike Brauer, the recreational diver who originally discovered the canoes. Rae Gould and Richard Masse represented the permittee; Rae provided much needed coffee. Chris Hugo once again secured the use of an underwater video system for the Board. The purpose of the site visit was to acquire precise GPS coordinates and wood core samples for all three vessels. All of these tasks were accomplished.

D. Underwater Discoveries Unlimited

At the meeting of 29 November 2001, Mr. Snow raised concerns that while the Cape Cod National Seashore (CCNS) had retrieved custody of the timber that had washed up on the beach, possibly from his permit area, it was not conserving the material properly. In response to Mr. Snow's concerns and those raised by the Board members, Victor contacted the CCNS through a letter expressing these concerns. Hope Morrill, Curator at the Seashore promptly replied by letter that Mr. Snow observed a temporary measure aimed at eliminating the risk of pest infestation and that the material was now stored inside in a climate controlled environment.

6. NEW BUSINESS

A. Restoration Project, Inc.

Victor reported that Restoration Project, Inc. had submitted a reconnaissance permit application for an area of Willis Pond in Sudbury. He stated that he was contacted by the organization's director, Eloise Newell, several weeks ago and advised her that the first step in the permitting process was to determine if a resource, as suggested by both oral and written histories of the area, does in fact exist. Victor stated that he suggested Ms. Newell contact Chris Hugo, who conducted a drop camera survey of the area near the end of the year. The results of this survey were incorporated into Restoration Project, Inc.'s application. Victor noted that Ms. Newell and Kevin Kennedy were in attendance to discuss the proposed project.

Ms. Newell and Mr. Kennedy presented the results of research detailing Babe Ruth's stay at the pond in the winter of 1917-18 and accounts that he threw a piano into the water. Ms. Newell added that after numerous trips to the town hall, they have been able to track the deed to the cottage that Babe Ruth rented and pin point its exact location. Ms. Newell briefly described Restoration Project, Inc. and explained its purpose. She expressed her organization's desire to confirm the presence of this piano and eventually recover it. She explained that the publicity generated through this project should help make a difference in the perception of people with mental illness.

Victor stated that this particular project is unusual and not the type with which the Board typically becomes involved because it concerns a single object rather than a site. He added that at the same time it seems to meet the threshold historic significance. He added that he hoped that Chris Hugo could have been present to answer questions regarding his findings, but that due to the inclement weather, it was unlikely that he would make it. Victor pointed out that

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although Chris could not conclude that the object detected by the underwater camera was a piano, it did appear that this object was not a naturally occurring feature of the pond bottom.

Kevin Mooney asked Ms. Newell if there were any other objects that they expected to encounter during the course of their reconnaissance work. Ms. Newell responded that there is nothing that suggests they will come across

other artifacts related to Babe Ruth's stay at the pond. She noted however, that the Town Historian has suggested that there may be a dugout canoe in the area.

Ed Bell asked Ms. Newell what condition she expected the wood to be in providing that the piano is located. Ms. Newell responded that she thought it possible that the wood could be in a good state of preservation pointing out that centuries old logs have been recovered from some freshwater sites that still retain a high level of integrity. Ed asked if Restoration Project, Inc. would need to have permission from the Department of Environmental Management (DEM) to conduct reconnaissance activities at the pond, as it is a DEM great pond. Kevin Mooney responded that the Board could, as it has with in issuing other permits, require that the permittee coordinate all activity with the DEM staff archaeologist. Joe Pelczarski noted that at the local level, Restoration Project, Inc. should contact the Sudbury Conservation Commission for any permits it would require. Victor stated that such permission would be required when and if the piano is recovered, but that the first step is to confirm its presence with the use of divers.

Lenny Loparto stated that due to the environmental factors, it is unlikely that the piano would be found in tact. He added that Restoration Project, Inc. should keep an eye out for other occupational artifacts related to Babe Ruth's stay at the pond including such items as plates and other household items.

Ed Bell moved to grant a Reconnaissance Permit (02-001) to Restoration Project, Inc. for its Willis Pond site with all standard conditions in effect and the further condition that Restoration Project, Inc. coordinate its activities with the Department of Environmental Management staff archaeologist. Kevin Mooney seconded. Unanimous vote in favor. So voted.

Kevin Mooney moved to adjourn the meeting at 2:15 PM. Terry French seconded. Unanimous vote in favor. So voted.

Respectfully submitted,

Victor T. Mastone
Director